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and Tri-County Metropolitan Transportation District of Oregon

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

JAMES P. CHASSE, JR., et al.,

CV-07-0189 HU

PLAINTIFFS,

v.

CHRISTOPHER HUMPHREYS, et al.,

DEFENDANTS.

**CITY DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT ON PLAINTIFFS'
CLAIM FOR INJUNCTIVE RELIEF AND
MOTION TO DISMISS THE PORTLAND
POLICE BUREAU FROM THIS ACTION**

(Oral Argument Requested)

Pursuant to Local Rule 7.1, counsel for defendants Christopher Humphreys, Kyle Nice, Portland Police Bureau, City of Portland, and John and Jane Doe Officials (hereinafter City Defendants) and counsel for plaintiff have made a good faith effort through personal or telephone conferences to resolve the dispute, and have been unable to do so.

City Defendants move for an order as follows:

1. Granting summary judgment in favor of City defendants on plaintiffs' claim for injunctive relief (Complaint § XIV, Tenth Claim for Relief) on the ground that plaintiffs cannot establish a claim for injunctive relief because there is no justiciable case or controversy upon

which to grant injunctive relief;

2. Granting summary judgment in favor of City defendants on plaintiffs' claim for injunctive relief (Complaint § XIV, Tenth Claim for Relief) on the ground that principles of federalism warrant restraint against issuance of such an injunction against a city government and;

3. Granting the City defendants' motion to dismiss the Portland Police Bureau from this action.

Dated this 10th day of March, 2008.

Respectfully submitted,

/s/ James G. Rice

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